



m/049/032

Daron
Vickie
Mary Ann

September 14, 2005

HAND DELIVERED

Daron R. Haddock
Division of Oil, Gas and Mining
1594 West North Temple, Suite 1210
Salt Lake City, UT 84114

Re: State Cessation Order No. MC-05-01-11(1), Ekins East Quarry

Dear Mr. Haddock:

Staker & Parson Companies is exercising its right to appeal the fact of the above numbered Cessation Order regarding the Ekins Quarry. We would like to request an Informal Conference.

The Worksheet for Assessment of Penalties stated we have mined in years 2002 and 2003. This is incorrect. We did not mine any material; we did process the material that was previously mined prior to our acquisition of the quarry. The tons reported to the Division of Oil, Gas, and Mining (DOGM) was tons processed. We never performed a blast on this site after our acquisition. Processing of previously mined materials was done in the span of 1 to 2 months, and stopped early in 2003. No additional disturbance has occurred since our acquisition.

Since 2003 we have been working closely with DOGM on finalizing a reclamation plan for this site. It has taken some time to work out details to have this come to pass. At this time DOGM has a plan and a cost amount for Staker & Parson Companies to reclaim this quarry, and we are also approaching the owner of the site to see if he wants to assume the Site Permit. A meeting is set with the owner for September 20, 2005, and a decision will be made shortly.

We were very surprised to receive the Cessation Order, due to the fact DOGM and Staker & Parson Companies is so close to resolving the Permit issue. We understand this has been a lengthy process, but at no time have we been indifferent to DOGM's requests.

Please notify me of the date and time of the Informal Conference, and if you have any further questions.

Sincerely,

Staker & Parson Companies

Michael Dalley
Environmental Affairs

PH 801-258-3800

FAX 801-266-8048

www.stakerparson.com

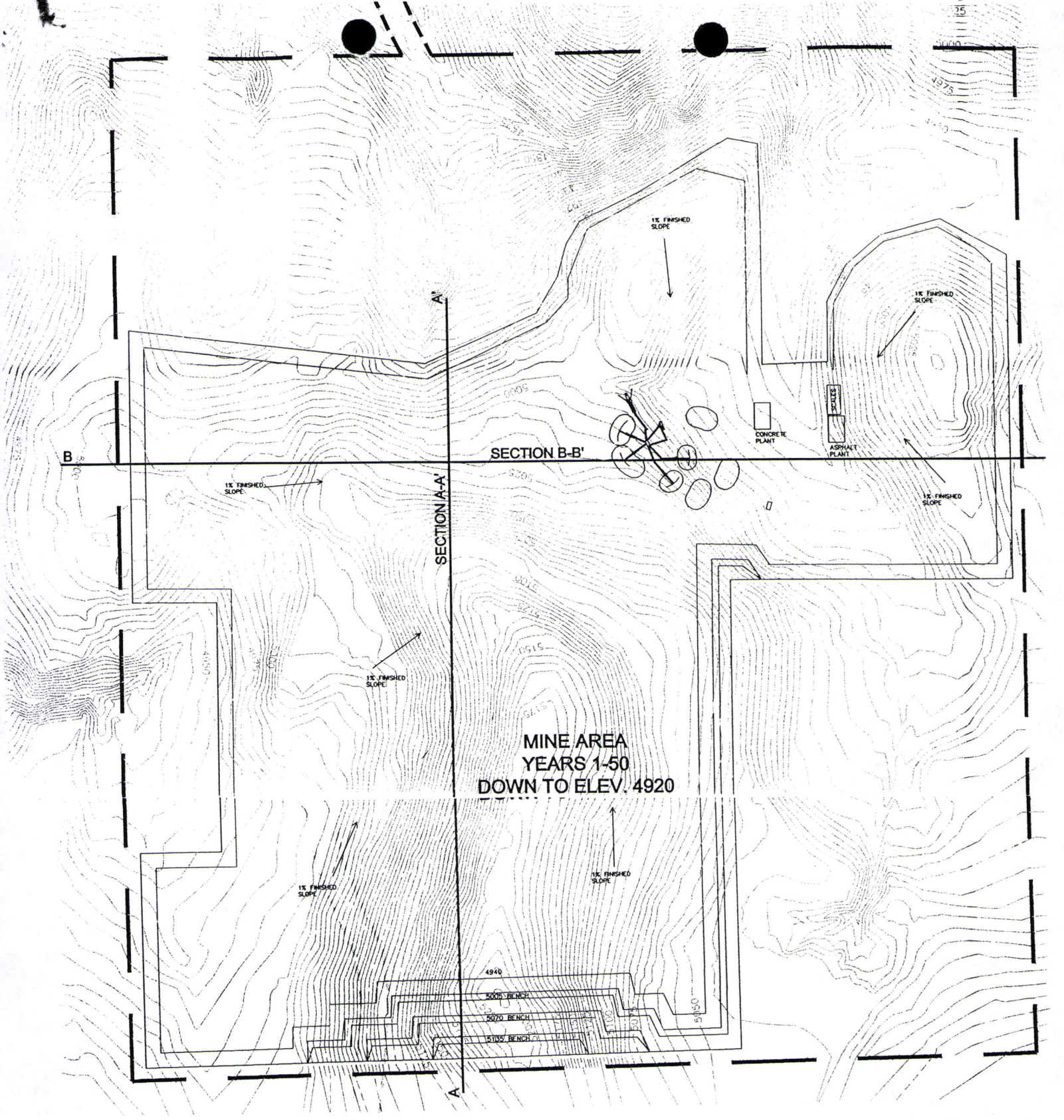
151 West Vine Street, Murray, UT 84107

ROCK PRODUCTS, READY MIX CONCRETE, ASPHALT, PAVING, & CONSTRUCTION SERVICE

RECEIVED

SEP 15 2005

12:30 PM
DIV. OF OIL, GAS & MINING



Valley Asphalt, Inc
Ekin's East Project

M/049/032

SECTION A-A' LOOKING EAST

ORIGINAL TOPOGRAPHY

FINAL PIT

